

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STACEY PROBST, ERIKA PROBST;	:	CIVIL ACTION
<i>et al.,</i>	:	
<i>Plaintiffs</i>	:	
	:	
v.	:	NO. 23-CV-1231
	:	
WILLIAMSPORT, PA (POLICE	:	
OFFICER), <i>et al.</i>,	:	
<i>Defendants</i>	:	

O R D E R

AND NOW, this 7th day of August, 2023, upon consideration of Plaintiff Stacey Probst's Motion to Proceed *In Forma Pauperis* (ECF No. 1), *pro se* Complaint (ECF No. 2), and Motion to appoint counsel (ECF No. 3), it is hereby **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. All claims brought by or on behalf of (1) Erika Probst or (2) Stacey and Erika Probst's minor children, and (3) all wrongful death/survivorship claims are **DISMISSED WITHOUT PREJUDICE** for the reasons stated in the Court's Memorandum.
4. The Clerk of Court is **DIRECTED** to terminate the City of Philadelphia, Temple Hospital and Dr. Duncan as Defendants.
5. The Clerk of Court is **DIRECTED** to **TRANSFER** the above-captioned case to the United States District Court for the Middle District of Pennsylvania for consideration of Stacey Probst's excessive force claim against the remaining Defendants.

6. The Motion for appointment of counsel shall be left to the discretion of the transferee court.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court